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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Case No.: 3:21-cr-24-RCJ-CLB

12 Plaintiff,

13 **GOVERNMENT'S**  
14 **NOTICE OF APPEAL**

vs.

GREGORY W. PHEASANT,

Defendant.

Pursuant to 18 U.S.C. § 3731, the United States files this notice of appeal to the United States Court of Appeals for the Ninth Circuit from the district court's April 26, 2023, order granting Pheasant's motion to dismiss the indictment, ECF No. 76.

DATED: May 23, 2023

Respectfully submitted,

JASON M. FRIERSON  
United States Attorney

/s/ Adam Flake

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ADAM FLAKE  
Assistant United States Attorney